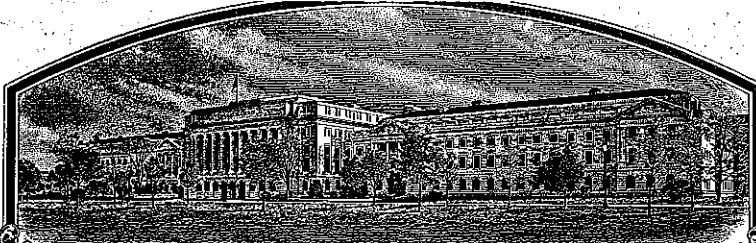


No.

200500143



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Seminis Vegetable Seeds, Inc.

Whereas, THERE HAS BEEN PRESENTED TO THE

Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED DISTINCT VARIETY OF SEXUALLY REPRODUCED, OR TUBER PROPAGATED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF TWENTY YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR IMPORTING IT, OR EXPORTING IT, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE FOREGOING PURPOSES, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT. (84 STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

LETTUCE

'Passport'

In Testimony Whereof, I have hereunto set my hand and caused the seal of the Plant Variety Protection Office to be affixed at the City of Washington, D.C. this twenty-ninth day of June, in the year two thousand and seven.

Attest:

Commissioner
Plant Variety Protection Office
Agricultural Marketing Service

Secretary of Agriculture

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
SCIENCE AND TECHNOLOGY - PLANT VARIETY PROTECTION OFFICE

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE
(Instructions and information collection burden statement on reverse)

The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a) and the Paperwork Reduction Act (PRA) of 1995.

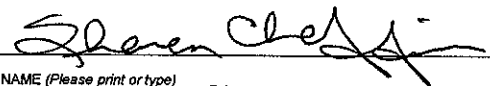
Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

1. NAME OF OWNER Seminis Vegetable Seeds, Inc.		2. TEMPORARY DESIGNATION OR EXPERIMENTAL NAME		3. VARIETY NAME Passport	
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP Code, and Country) 2700 Camino del Sol Oxnard, CA 93030-7967		5. TELEPHONE (include area code) (805) 647-1572		FOR OFFICIAL USE ONLY PVPO NUMBER 200500143 FILING DATE Feb. 17, 2005	
		6. FAX (include area code) (805) 918-2545			
7. IF THE OWNER NAMED IS NOT A "PERSON", GIVE FORM OF ORGANIZATION (corporation, partnership, association, etc.) Corporation		8. IF INCORPORATED, GIVE STATE OF INCORPORATION California		9. DATE OF INCORPORATION 4-Jun-1962	
10. NAME AND ADDRESS OF OWNER REPRESENTATIVE(S) TO SERVE IN THIS APPLICATION. (First person listed will receive all papers)					
<div style="display: flex; justify-content: space-between;"> <div style="width: 60%;"> <p>Sharen Chaffin Seminis Vegetable Seeds, Inc. 37437 State Hwy 16 Woodland CA 95695</p> </div> <div style="width: 35%;"> <p>Marcel Bruins Seminis Vegetable Seeds, Inc. Nude 54D 6702 DN Wageningen The Netherlands marcel.bruins@seminis.com PH: 31 317 450218; FX 31 317 450217</p> </div> </div>					
11. TELEPHONE (Include area code) (530) 669-6172		12. FAX (Include area code) (530) 666-4426		13. E-MAIL sharen.chaffin@seminis.com	
14. CROP KIND (Common Name) Lettuce		15. GENUS AND SPECIES NAME OF CROP Lactuca sativa			
16. FAMILY NAME (Botanical) Asteraceae		17. IS THE VARIETY A FIRST GENERATION HYBRID? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			
18. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED (Follow instructions on reverse)					
<p>a. <input checked="" type="checkbox"/> Exhibit A. Origin and Breeding History of the Variety</p> <p>b. <input checked="" type="checkbox"/> Exhibit B. Statement of Distinctness</p> <p>c. <input checked="" type="checkbox"/> Exhibit C. Objective Description of Variety</p> <p>d. <input type="checkbox"/> Exhibit D. Additional Description of the Variety (Optional)</p> <p>e. <input checked="" type="checkbox"/> Exhibit E. Statement of the Basis of the Owner's Ownership</p> <p>f. <input type="checkbox"/> Voucher Sample (2,500 viable untreated seeds or, for tuber propagated varieties, verification that tissue culture will be deposited and maintained in an approved public repository)</p> <p>g. <input checked="" type="checkbox"/> Filing and Examination Fee (\$3,652), made payable to "Treasurer of the United States" (Mail to the Plant Variety Protection Office)</p>					
19. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE SOLD AS A CLASS OF CERTIFIED SEED? See Section 83(a) of the Plant Variety Protection Act					
<input type="checkbox"/> YES (If "yes", answer items 20 and 21 below) <input checked="" type="checkbox"/> NO (If "no", go to item 22)					
20. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF CLASSES? <input type="checkbox"/> YES <input type="checkbox"/> NO					
IF YES, WHICH CLASSES? <input type="checkbox"/> FOUNDATION <input type="checkbox"/> REGISTERED <input type="checkbox"/> CERTIFIED					
21. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS? <input type="checkbox"/> YES <input type="checkbox"/> NO					
IF YES, SPECIFY THE NUMBER 1,2,3, etc. FOR EACH CLASS.					
<input type="checkbox"/> FOUNDATION <input type="checkbox"/> REGISTERED <input type="checkbox"/> CERTIFIED					
(If additional explanation is necessary, please use the space indicated on the reverse.)					
22. HAS THE VARIETY (INCLUDING ANY HARVESTED MATERIAL) OR A HYBRID PRODUCED FROM THIS VARIETY BEEN SOLD, DISPOSED OF, TRANSFERRED, OR USED IN THE U. S. OR OTHER COUNTRIES? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO IF YES, YOU MUST PROVIDE THE DATE OF FIRST SALE, DISPOSITION, TRANSFER, OR USE FOR EACH COUNTRY AND THE CIRCUMSTANCES. (Please use space indicated on reverse.)					
23. IS THE VARIETY OR ANY COMPONENT OF THE VARIETY PROTECTED BY INTELLECTUAL PROPERTY RIGHT (PLANT BREEDER'S RIGHT OR PATENT)? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO IF YES, PLEASE GIVE COUNTRY, DATE OF FILING OR ISSUANCE AND ASSIGNED REFERENCE NUMBER. (Please use space indicated on reverse.)					

24. The owners declare that a viable sample of basic seed of the variety has been furnished with application and will be replenished upon request in accordance with such regulations as may be applicable, or for a tuber propagated variety a tissue culture will be deposited in a public repository and maintained for the duration of the certificate.

The undersigned owner(s) is(are) the owner of this sexually reproduced or tuber propagated plant variety, and believe(s) that the variety is new, distinct, uniform, and stable as required in Section 42, and is entitled to protection under the provisions of Section 42 of the Plant Variety Protection Act.

Owner(s) is(are) informed that false representation herein can jeopardize protection and result in penalties.

SIGNATURE OF OWNER 		SIGNATURE OF OWNER	
NAME (Please print or type) Sharen Chaffin		NAME (Please print or type)	
CAPACITY OR TITLE IP Specialist	DATE	CAPACITY OR TITLE	DATE

GENERAL: To be effectively filed with the Plant Variety Protection Office (PVPO), **ALL** of the following items must be received in the PVPO: (1) Completed application form signed by the owner; (2) completed exhibits A, B, C, E; (3) for a seed reproduced variety at least 2,500 viable untreated seeds, for a hybrid variety at least 2,500 untreated seeds of each line necessary to reproduce the variety, or for tuber reproduced varieties verification that a viable (in the sense that it will reproduce an entire plant) tissue culture will be deposited and maintained in an approved public repository; (4) check drawn on a U.S. bank for \$3,652 (\$432 filing fee and \$3,220 examination fee), payable to "Treasurer of the United States" (See Section 97.6 of the Regulations and Rules of Practice.) Partial applications will be held in the PVPO for not more than 90 days, then returned to the applicant as unfilled. Mail application and other requirements to Plant Variety Protection Office, AMS, USDA, Room 401, NAL Building, 10301 Baltimore Avenue, Beltsville, MD 20705-2351. **Retain one copy for your files.** All items on the face of the application are self explanatory unless noted below. Corrections on the application form and exhibits must be initialed and dated. **DO NOT** use masking materials to make corrections. If a certificate is allowed, you will be requested to send a check payable to "Treasurer of the United States" in the amount of \$432 for issuance of the certificate. Certificates will be issued to owner, not licensee or agent.

Plant Variety Protection Office

Telephone: (301) 504-5518

FAX: (301) 504-5291

Homepage: <http://www.ams.usda.gov/science/pvpo/pvp.htm>

ITEM

- 18a. Give: (1) the genealogy, including public and commercial varieties, lines, or clones used, and the breeding method; (2) the details of subsequent stages of selection and multiplication; (3) evidence of uniformity and stability; and (4) the type and frequency of variants during reproduction and multiplication and state how these variants may be identified
- 18b. Give a summary of the variety's distinctness. Clearly state how this application variety may be distinguished from all other varieties in the same crop. If the new variety is most similar to one variety or a group of related varieties:
- (1) identify these varieties and state all differences objectively;
 - (2) attach statistical data for characters expressed numerically and demonstrate that these are clear differences; and
 - (3) submit, if helpful, seed and plant specimens or photographs (prints) of seed and plant comparisons which clearly indicate distinctness.
- 18c. Exhibit C forms are available from the PVPO Office for most crops; specify crop kind. Fill in Exhibit C (Objective Description of Variety) form as completely as possible to describe your variety.
- 18d. Optional additional characteristics and/or photographs. Describe any additional characteristics that cannot be accurately conveyed in Exhibit C. Use comparative varieties as is necessary to reveal more accurately the characteristics that are difficult to describe, such as plant habit, plant color, disease resistance, etc.
- 18e. Section 52(5) of the Act requires applicants to furnish a statement of the basis of the applicant's ownership. An Exhibit E form is available from the PVPO.
19. If "Yes" is specified (seed of this variety be sold by variety name only, as a class of certified seed), the applicant **MAY NOT** reverse this affirmative decision after the variety has been sold and so labeled, the decision published, or the certificate issued. However, if "No" has been specified, the applicant may change the choice. (See Regulations and Rules of Practice, Section 97.103).
22. See Sections 41, 42, and 43 of the Act and Section 97.5 of the regulations for eligibility requirements.
23. See Section 55 of the Act for instructions on claiming the benefit of an earlier filing date.

21. CONTINUED FROM FRONT (Please provide a statement as to the limitation and sequence of generations that may be certified.)

22. CONTINUED FROM FRONT (Please provide the date of first sale, disposition, transfer, or use for each country and the circumstances, if the variety (including any harvested material) or a hybrid produced from this variety has been sold, disposed of, transferred, or used in the U.S. or other countries.)

ES: January 2003; SE: February 2004; DK & GB: March 2004; IE: April 2004; DE: December 2004

23. CONTINUED FROM FRONT (Please give the country, date of filing or issuance, and assigned reference number, if the variety or any component of the variety is protected by intellectual property right (Plant Breeder's Right or Patent).)

EU: PBR Filed 9/23/03; Reference No. 2003/1750

NOTES: It is the responsibility of the applicant/owner to keep the PVPO informed of any changes of address or change of ownership or assignment or owner's representative during the life of the application/certificate. There is no charge for filing a change of address. The fee for filing a change of ownership or assignment or any modification of owner's name is specified in Section 97.175 of the regulations. (See Section 101 of the Act, and Sections 97.130, 97.131, 97.175(h) of the Regulations and Rules of Practice.)

To avoid conflict with other variety names in use, the applicant must check the appropriate recognized authority. For example, for agricultural and vegetable crops, contact: Seed Branch, AMS, USDA, Room 213, Building 306, Beltsville Agricultural Research Center--East, Beltsville, MD 20705. Telephone: (301) 504-8089. <http://www.ams.usda.gov/lsg/seed.htm>

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0055. The time required to complete this information collection is estimated to average 3.0 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

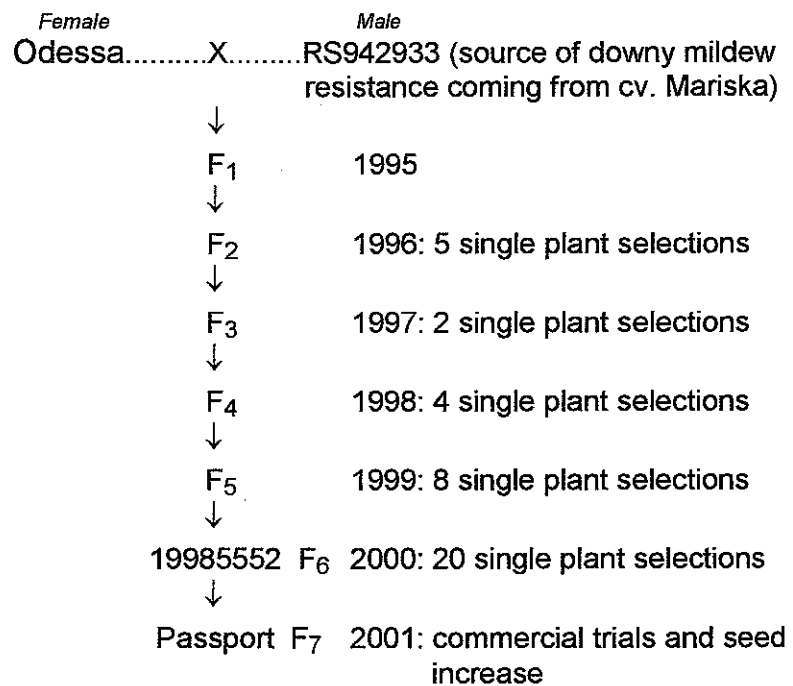
The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, sexual orientation, marital or family status, political beliefs, parental status, or protected genetic information. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 14th and Independence Avenue, SW, Washington, DC 20250-9410 or call 202-720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.

ST-470 (02-10-2003) designed by the Plant Variety Protection Office with Word 2000. Replaces former versions of ST-470, which are obsolete.

Exhibit A. Origin and Breeding History of Lettuce cv. Passport

Revised: 2-May-07

Pedigree of cv. Passport

Romaine lettuce cultivar Passport was developed at the SEMINIS research station at NIMES, France. The initial cross was made between Odessa, a romaine lettuce variety from Syngenta Seed Company and a Seminis Breeding Line (SBL) RS942933 in the romaine lettuce type, which harbored the R18 *Bremia lactucae* resistance gene coming from a cross between butterhead cv. Mariska as female and the romaine cv. Green Tower as male.

1995: Odessa and SBL were grown in the greenhouse and crosses were made.

1996: Five F₂ populations of the cross Odessa x SBL were made in spring and summer. Five F₂ populations were grown in the breeding field at the research station in the autumn. Two single plant selections (966810 and 966811) were taken for further breeding and making F₃ populations.

1997: Two F₃ populations (966810 and 966811) were put in a breeding field at the research station in autumn. Out of population 966811, four single plants were selected to create F₄ populations (19976614, 19976615, 19976616 and 19976617).

1998: All four F₄ populations were tested for resistance to *Bremia lactucae* and for Lettuce Mosaic Virus (LMV). All of them appeared to be uniform and resistant for both diseases.

1998: All four F4 populations were tested in field trials in France, Italy and Spain for agricultural characteristics and uniformity. Especially F4 breeding line 19976617 showed good uniformity and good agricultural qualities. 8 single plants were selected out of 19976617 to create F5 populations (19983051, 19983052, 19983053, 19983054, 19983055, 19983056, 19985552 and 19985553).

1999: All eight F5 populations were tested for resistance to *Bremia lactucae* and for Lettuce Mosaic Virus (LMV). All of them appeared to be uniform and resistant for both diseases.

All eight F5 populations were tested in field trials in France, Italy and Spain for agricultural characteristics and uniformity. F4 line 19976617 was planted together with those eight lines to check stability. All eight lines looked uniform and stable. Breeding line 19985552 has been selected as source for seed production and further development of the variety cv. Passport.

2000/2001: In total 500,000 plants coming from (bulk) seed production of breeding line 19985552 were tested all over Europe in spring, summer, autumn and winter growing conditions and compared with breeding line 19985552 for stability and uniformity of the variety. In all trials the bulked seed looked uniform and stable. No off-types nor genetic variation was detected during those trials.

The breeding work was carried out by Dr. Ron van der Laan at the Seminis Vegetable Seed's Research Station at Nîmes, France. Replicated field trials were initially conducted in Europe and later in areas of California and Western Arizona (2001 and 2002).

The breeding method employed was pedigree selection, using both single plant selection and mass selection practices. The selection criteria for cv. Passport were resistance to lettuce mosaic virus and California pathotypes I, IIa, IIb, III, IV, V, and VI of downy mildew, when compared to the most similar variety, cv. Parris Island Cos.

From 1998 to present (more than five generations), we have seen neither genetic variants nor off-types, indicating that this variety is genetically uniform and stable.

EXHIBIT B. Novelty statement for romaine lettuce cultivar cv. Passport

Revised: 2-May-07

cv. Passport is a dark green romaine lettuce variety (Cos lettuce) with a high level of *Bremia lactucae* resistance combined with resistance to Lettuce Mosaic Virus (Table 1 and Table 2). The variety is created, by pedigree selection methods, for open field romaine lettuce production.

To our knowledge, cv. Passport most resembles Paris Island Cos, a free commercial romaine lettuce variety. The comparative characteristics that most clearly distinguish cv. Passport and Paris Island Cos include, but may not be limited to:

- Resistance to *Bremia lactucae* (Downy Mildew):
cv. Passport is resistant to CA *Bremia lactucae* races: I, IIA, IIB, III, IV, V and VI, whereas Paris Island Cos is susceptible to those races.
- Resistance to Lettuce Mosaic Virus (LMV):
cv. Passport is resistant to the common strain of LMV, whereas Paris Island Cos is susceptible.
- Refer to Table 1 for resistance trial data.

- cv. Passport can be differentiated from cvs. Big Country, Chief, Conquistador, Klamath, and Saturnas based on their reaction to downy mildew California pathotype VI:
cv. Passport was resistant to CA *Bremia lactucae* race VI, whereas Big Country, Chief, Conquistador, Klamath, and Saturnas were susceptible
- Refer to Table 2 for additional data.

Table 1

Evaluation of cv. Passport (RS06485552) and the most similar cultivar, cv. Parris Island Cos, for resistance to downy mildew and lettuce mosaic virus.

Trial No	Cultivar	Rep No.	Downy Mildew Resistance^a	Lettuce Mosaic Resistance.^b
Trial 1: Evaluated 20 July 2004 Salinas Valley, CA	cv. Passport:	Rep. 1	I,IIa,IIb,III IV,V,&VI	All plants resistant
		Rep. 2	I,IIa,IIb,III IV,V,&VI	All plants resistant
		Average:	I,IIa,IIb,III IV,V,&VI	All plants resistant
	cv. Parris Is. Cos:	Rep. 1	No pathotypes identified	All plants susceptible
		Rep. 2	No pathotypes identified	All plants susceptible
		Average:	No pathotypes identified	All plants susceptible
Trial 2: Evaluated 26 August 2005 Salinas Valley, CA	cv. Passport:	Rep. 1	I,IIa,IIb,III IV,V,&VI	All plants resistant
		Rep. 2	I,IIa,IIb,III IV,V,&VI	All plants resistant
		Average:	I,IIa,IIb,III IV,V,&VI	All plants resistant
	cv. Parris Is. Cos:	Rep. 1	No pathotypes identified	All plants susceptible
		Rep. 2	No pathotypes identified	All plants susceptible
		Average:	No pathotypes identified	All plants susceptible

^a Downy mildew survey reported as resistance to California Pathotypes I through VI, using four replications each having 15 seedlings, grown in laboratory screens.

^b Lettuce mosaic virus survey using four replications each having 10 plants, grown in greenhouse screens.

REPRODUCE LOCALLY. Include form number and date on all reproductions.

Form Approved - OMB No. 0581-0055

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0055. The time required to complete this information collection is estimated to average 2.4 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, sexual orientation, or marital or family status, parental status, or protected genetic information. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2800 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 14th and Independence Avenue, SW, Washington, DC 20250-9410 or call 202-720-5864 (voice and TDD). USDA is an equal opportunity provider and employer.

**U. S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
SCIENCE AND TECHNOLOGY
PLANT VARIETY PROTECTION OFFICE
BELTSVILLE, MD 20705**

EXHIBIT C
(Lettuce)

**OBJECTIVE DESCRIPTION OF VARIETY
LETTUCE (*Lactuca sativa* L.)**

NAME OF APPLICANT(S)

Seminis Vegetable Seeds Inc

ADDRESS (Street and No. or RD No., City, State, and ZIP Code)

2700 Camino del Sol
Oxnard CA 93030-7967

FOR OFFICIAL USE ONLY

PVPO NUMBER 200500143

VARIETY NAME

EXPERIMENTAL DESIGNATION

Place the appropriate number that describes the varietal character in the boxes below. Place a zero in the first box (eg. or) when number is either 99 or less or 9 or less. Measured data should be the mean of an appropriate number (at least 20) of well spaced plants. Royal Horticultural Society or any recognized color standard may be used to determine plant colors.

The location of the test area is:

Color System Used:

SPECIFIC VARIETIES USED FOR COMPARISON AS CHECK VARIETIES IN THIS APPLICATION: Use standard regional check varieties which are adapted to your area. One of the comparison varieties must be the most similar variety used in Exhibit B.

Application Variety (a1.) PASSPORTMost Similar Variety (c1.) Paris Island CosStandard Regional Check Variety (c2.) Clemente**1. PLANT TYPE:** (See list of suggested check varieties page 4.)01= Cutting/Leaf
02= Butterhead
03= Bibb04= Cos or Romaine
05= Great Lakes Group
06= Vanguard Group07= Salinas Group
08= Eastern (Ithaca) Group
09= Stem10= Latin
11= OTHER (Specify below):(a1.) (c1.) (c2.) **2. SEED:**(a1.) **COLOR**1= White (Silver Grey)
2= Black (Grey Brown)
3= Brown (Amber)(a1.) **LIGHT DORMANCY**1= Light Required
2= Light Not Required(c1.) (c2.) (a1.) **HEAT DORMANCY**1= Susceptible
2= Not Susceptible(c1.) (c2.) **3. COTYLEDON TO FOURTH LEAF STAGE:** NOTE: Provide a color photograph or photocopy of the fourth leaf from 20 day old seedling grown under optimal conditions.**SHAPE OF COTYLEDONS:** 1=Broad 2= Intermediate 3= Spatulate(a1.) (c1.) (c2.)

3. Cotyledon to Fourth Leaf Stage (Continued)

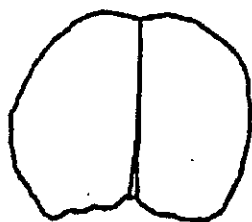
Exhibit C (Lettuce) Page 2 of 8

SHAPE OF FOURTH LEAF:

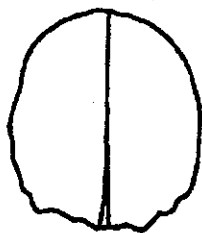
(a1.) 4

(c1.) 4

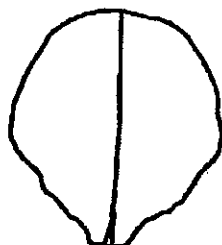
(c2.) 4



1.



2.



3.



4.



5.



6.

LENGTH/WIDTH INDEX OF FOURTH LEAF: L/W x 10

(a1.) 2 9

(c1.) 3 2

(c2.) 3 5

APICAL MARGIN:

1= Entire

2= Crenate/Gnawed

3= Finely Dentate

4= Moderately Dentate

5= Coarsely Dentate

6= Incised

7= Lobed

8= OTHER (Specify below):

(a1.) 1

(c1.) 1

(c2.) 1

BASAL MARGIN:

(Use the options for Apical Margin above)

(a1.) 4

(c1.) 4

(c2.) 4

UNDULATION:

1= Flat

2= Slight

3= Medium

4= Marked

(a1.) 2

(c1.) 2

(c2.) 2

GREEN COLOR:

1= Yellow Green

2= Light green

3= Medium Green

4= Dark Green

5= Blue Green

6= Silver Green

7= Grey Green

(a1.) 4

(c1.) 4

(c2.) 4

ANTHOCYANIN:

DISTRIBUTION:

1= Absent

2= Margin Only

3= Spotted

4= Throughout

5= OTHER (Specify below):

(a1.) 1

(c1.) 1

(c2.) 1

CONCENTRATION:

1= Light

2= Moderate

3= Intense

(a1.) na

(c1.) na

(c2.) na

3. Cotyledon to Fourth Leaf Stage (Continued)

Exhibit C (Lettuce) Page 3 of 8

ROLLING:

1= Absent

2= Present

(a1.) 1

(c1.) 1

(c2.) 1

CUPPING:

1= Uncupped

2= Slight

3= Markedly

(a1.) 2

(c1.) 2

(c2.) 2

REFLEXING:

1= None

2= Apical Margin

3= Lateral Margins

(a1.) 1

(c1.) 1

(c2.) 1

4. MATURE LEAVES (Observe Harvest-Mature Outer Leaves)

NOTE: Provide color photo of a harvest-mature leaf which accurately shows color and margin characteristics.

MARGIN:

INCISION DEPTH:

(deepest penetration of the margin)

1= Absent/Shallow (Dark Green Boston)

3= Deep (Great Lakes 659)

2= Moderate (Vanguard)

(a1.) 1

(c1.) 1

(c2.) 1

INDENTATION:

(finest divisions of the margin)

1= Entire (Dark Green Boston)

2= Shallowly Dentate (Great Lakes 65)

3= Deeply Dentate (Great Lakes 659)

4= Crenate (Vanguard)

5= OTHER (Specify): _____

(a1.) 2

(c1.) 2

(c2.) 2

UNDULATIONS OF THE

APICAL MARGIN:

1= Absent/ Slight (Dark Green Boston)

3= Strong (Great Lakes 659)

2= Moderate (Vanguard)

(a1.) 1

(c1.) 1

(c2.) 1

GREEN COLOR:

1= Very Light Green (Bibb)

2= Light green (Minetto)

3= Medium Green (Great Lakes)

4= Dark Green (Vanguard)

5= Very Dark Green

6= OTHER (Specify): _____

(a1.) 4

(c1.) 4

(c2.) 3

ANTHOCYANIN:

DISTRIBUTION:

1= Absent

2= Margin Only (Big Boston)

3= Spotted (Calif. Cream Butter)

4= Throughout (Prize Head)

5= OTHER (Specify below): _____

(a1.) 1

(c1.) 1

(c2.) 1

CONCENTRATION:

1= Light (Iceberg)

2= Moderate (Prize Head)

3= Intense (Ruby)

(a1.) na

(c1.) na

(c2.) na

4. Mature Leaves (Continued)

Exhibit C (Lettuce) Page 4 of 8

SIZE:

1= Small

2= Medium

3= Large

(a1.) 3

(c1.) 3

(c2.) 3

GLOSSINESS:

1= Dull (Vanguard)

2= Moderate (Salinas)

3= Glossy (Great Lakes)

(a1.) 2

(c1.) 2

(c2.) 3

BLISTERING:

1= Absent/Slight
(Salinas)2= Moderate
(Vanguard)3= Strong
(Prize Head)

(a1.) 2

(c1.) 2

(c2.) 2

LEAF THICKNESS:

1= Thin

2= Intermediate

3= Thick

(a1.) 3

(c1.) 3

(c2.) 3

TRICHOMES:

1= Absent (Smooth)

2= Present (Spiny)

(a1.) 1

(c1.) 1

(c2.) 1

5. PLANT

SPREAD OF FRAME LEAVES:

(a1.) 4 0 cm

(c1.) 3 8 cm

(c2.) 3 8 cm

HEAD DIAMETER: (market trimmed with single cap leaf)

(a1.) 1 8 cm

(c1.) 1 5 cm

(c2.) 1 5 cm

HEAD SHAPE :

1= Flattened

3= Spherical

5= Non-Heading

2= Slightly Flattened

4= Elongate

6= OTHER (Specify): _____

(a1.) 4

(c1.) 4

(c2.) 4

HEAD SIZE CLASS:

1= Small

2= Medium

3= Large

(a1.) 2

(c1.) 2

(c2.) 2

HEAD PER CARTON:

(a1.) 2 4

(c1.) 2 4

(c2.) 2 4

HEAD WEIGHT:

(a1.) 7 5 0 g

(c1.) 8 0 0 g

(c2.) 7 7 5 g

HEAD FIRMNESS :

1= Loose

2= Moderate

3= Firm

4= Very Firm

(a1.) 2

(c1.) 2

(c2.) 2

6. BUTT

SHAPE:

1= Slightly Concave

2= Flat

3= Rounded

(a1.)

3

(c1.)

3

(c2.)

3

MIDRIB:

1= Flattened (Salinas)

2= Moderately Raised

3= Prominently Raised (Great Lakes 659)

(a1.)

3

(c1.)

3

(c2.)

3

7. CORE

DIAMETER AT BASE OF HEAD:

(a1.)

3 0 mm

(c1.)

3 0 mm

(c2.)

3 0 mm

RATIO OF HEAD DIAMETER/CORE DIAMETER:

(a1.)

6 0

(c1.)

5 0

(c2.)

5 0

CORE HEIGHT FROM BASE OF HEAD TO APEX:

(a1.)

5 0 mm

(c1.)

5 0 mm

(c2.)

5 5 mm

8. BOLTING (Give First Water Date: July 20, 2004)

NOTE: First Water Date is the date seed first receives adequate moisture to germinate. This can and often does equal the planting date.

NUMBER OF DAYS FROM FIRST WATER DATE TO SEED STALK EMERGENCE (summer conditions):

(a1.)

1 1 5

(c1.)

9 5

(c2.)

8 5

BOLTING CLASS:

1= Very Slow

3= Medium

5= Very Rapid

2= Slow

4= Rapid

(a1.)

2

(c1.)

3

(c2.)

3

HEIGHT OF MATURE SEED STALK:

(a1.)

9 0 cm

(c1.)

8 5 cm

(c2.)

9 5 cm

SPREAD OF BOLTER PLANT: (at widest point)

(a1.)

2 5 cm

(c1.)

2 5 cm

(c2.)

2 5 cm

BOLTER LEAVES:

1= Straight

2= Curved

(a1.)

1

(c1.)

1

(c2.)

1

MARGIN:

1= Entire

2= Dentate

(a1.)

1

(c1.)

1

(c2.)

1

8. Bolting (Continued)

COLOR:

1= Light Green 2= Medium Green 3= Dark Green

(a1.) (c1.) (c2.)

BOLTER HABIT:

TERMINAL INFLORESCENCE:

1= Absent 2= Present

(a1.) (c1.) (c2.)

LATERAL SHOOTS:

1= Absent 2= Present

(a1.) (c1.) (c2.)

BASAL SIDE SHOOTS:

1= Absent 2= Present

(a1.) (c1.) (c2.)

9. MATURITY

(earliness of harvest-mature head formation)

NOTE: Complete this section for at least one season.

SEASON	APPLICATION VARIETY no. of days			MOST SIMILAR VARIETY no. of days			STANDARD REGIONAL CHECK VARIETY no. of days		
Spring									
Summer	65			58			63		
Fall									
Winter									

Give planting date(s) and location(s):

Spring: _____

Summer: SOLEDADE SOUTH to SAN ARDO May1 till July 30th

Fall: _____

Winter: _____

1. First Water Date to Harvest May 5th

10. ADAPTATION:

PRIMARY REGIONS OF ADAPTATION (tested and proven adapted):

(0= Not Tested

1= Not Adapted

2= Adapted)

Southwest (CA and/or AZ desert)

West Coast

Northeast

North-central

Southeast

OTHER (Specify): _____

SEASON:

☐ Spring (Area _____) ☐ Fall (Area _____)

☒ Summer (Area SALINAS CA) ☐ Winter (Area _____)

GREENHOUSE:

0= Not Tested

1= Not Adapted

2= Adapted

SOIL TYPE:

1= Mineral

2= Organic

3= Both

11. VIRAL DISEASES

1= Immune 3= Resistant

5= Moderately Resistant/Moderately Susceptible 7= Susceptible

9= Highly Susceptible

	(a1.)	(c1.)	(c2.)
Big Vein	<input type="text"/>	<input type="text"/>	<input type="text"/>
Lettuce Mosaic	(a1.) <input type="text" value="3"/>	(c1.) <input type="text" value="7"/>	(c2.) <input type="text" value="3"/>
Cucumber Mosaic	(a1.) <input type="text"/>	(c1.) <input type="text"/>	(c2.) <input type="text"/>
Tomato Bushy Stunt, cause of dieback	(a1.) <input type="text"/>	(c1.) <input type="text"/>	(c2.) <input type="text"/>
Turnip Mosaic	(a1.) <input type="text"/>	(c1.) <input type="text"/>	(c2.) <input type="text"/>
Beet Western Yellows	(a1.) <input type="text"/>	(c1.) <input type="text"/>	(c2.) <input type="text"/>
Lettuce Infectious Yellows	(a1.) <input type="text"/>	(c1.) <input type="text"/>	(c2.) <input type="text"/>
OTHER (Specify): _____	(a1.) <input type="text"/>	(c1.) <input type="text"/>	(c2.) <input type="text"/>

12. FUNGAL/BACTERIAL DISEASES

1= Immune

3= Resistant

5= Moderately Resistant/Moderately Susceptible 7= Susceptible

9= Highly Susceptible

	(a1.)	(c1.)	(c2.)
Corky Root Rot (Races: _____)	<input type="text"/>	<input type="text"/>	<input type="text"/>
Downy Mildew (Races: I,IIa,IIb,III,IV,V,VI)	(a1.) <input type="text" value="3"/>	(c1.) <input type="text" value="7"/>	(c2.) <input type="text" value="7"/>
Powdery Mildew	(a1.) <input type="text"/>	(c1.) <input type="text"/>	(c2.) <input type="text"/>
Sclerotinia Drop	(a1.) <input type="text" value="7"/>	(c1.) <input type="text" value="7"/>	(c2.) <input type="text" value="7"/>
Bacterial Soft Rot (<i>Pseudomonas</i> spp. and others)	(a1.) <input type="text"/>	(c1.) <input type="text"/>	(c2.) <input type="text"/>
Botrytis (Grey Mold)	(a1.) <input type="text"/>	(c1.) <input type="text"/>	(c2.) <input type="text"/>
Verticillium Wilt	(a1.) <input type="text"/>	(c1.) <input type="text"/>	(c2.) <input type="text"/>
Bacterial Leaf Spot	(a1.) <input type="text"/>	(c1.) <input type="text"/>	(c2.) <input type="text"/>
Anthrachnose	(a1.) <input type="text"/>	(c1.) <input type="text"/>	(c2.) <input type="text"/>
OTHER (Specify): _____	(a1.) <input type="text"/>	(c1.) <input type="text"/>	(c2.) <input type="text"/>

13. INSECTS

1= Immune

3= Resistant

5= Moderately Resistant/Moderately Susceptible 7= Susceptible

9= Highly Susceptible

	(a1.)	(c1.)	(c2.)
Cabbage Loopers	<input type="text"/>	<input type="text"/>	<input type="text"/>
Root Aphids	(a1.) <input type="text"/>	(c1.) <input type="text"/>	(c2.) <input type="text"/>
Green Peach Aphid	(a1.) <input type="text"/>	(c1.) <input type="text"/>	(c2.) <input type="text"/>
Lettuce Aphid	(a1.) <input type="text"/>	(c1.) <input type="text"/>	(c2.) <input type="text"/>
Pea Leafminer	(a1.) <input type="text"/>	(c1.) <input type="text"/>	(c2.) <input type="text"/>
OTHER (Specify): _____	(a1.) <input type="text"/>	(c1.) <input type="text"/>	(c2.) <input type="text"/>

14. PHYSIOLOGICAL STRESSES

1= Immune

3= Resistant

5= Moderately Resistant/Moderately Susceptible 7= Susceptible

9= Highly Susceptible

	(a1.)	(c1.)	(c2.)
Tipburn	<input type="text"/>	<input type="text"/>	<input type="text"/>
Heat	(a1.) <input type="text"/>	(c1.) <input type="text"/>	(c2.) <input type="text"/>
Drought	(a1.) <input type="text"/>	(c1.) <input type="text"/>	(c2.) <input type="text"/>
Cold	(a1.) <input type="text"/>	(c1.) <input type="text"/>	(c2.) <input type="text"/>
Salt	(a1.) <input type="text"/>	(c1.) <input type="text"/>	(c2.) <input type="text"/>
Brown Rib (Rib Discoloration, Rib Blight)	(a1.) <input type="text"/>	(c1.) <input type="text"/>	(c2.) <input type="text"/>
OTHER (Specify): _____	(a1.) <input type="text"/>	(c1.) <input type="text"/>	(c2.) <input type="text"/>

15. POSTHARVEST STRESS

1= Immune

3= Resistant

5= Moderately Resistant/Moderately Susceptible 7= Susceptible

9= Highly Susceptible

Pink Rib

(a1.)

☐

(c1.)

☐

(c2.)

☐

Russet Spotting

(a1.)

☐

(c1.)

☐

(c2.)

☐

Rusty Brown Discoloration

(a1.)

☐

(c1.)

☐

(c2.)

☐Internal Rib Necrosis
(Blackheart, Grey Rib, Grey Streak)

(a1.)

☐

(c1.)

☐

(c2.)

☐

Brown Stain

(a1.)

☐

(c1.)

☐

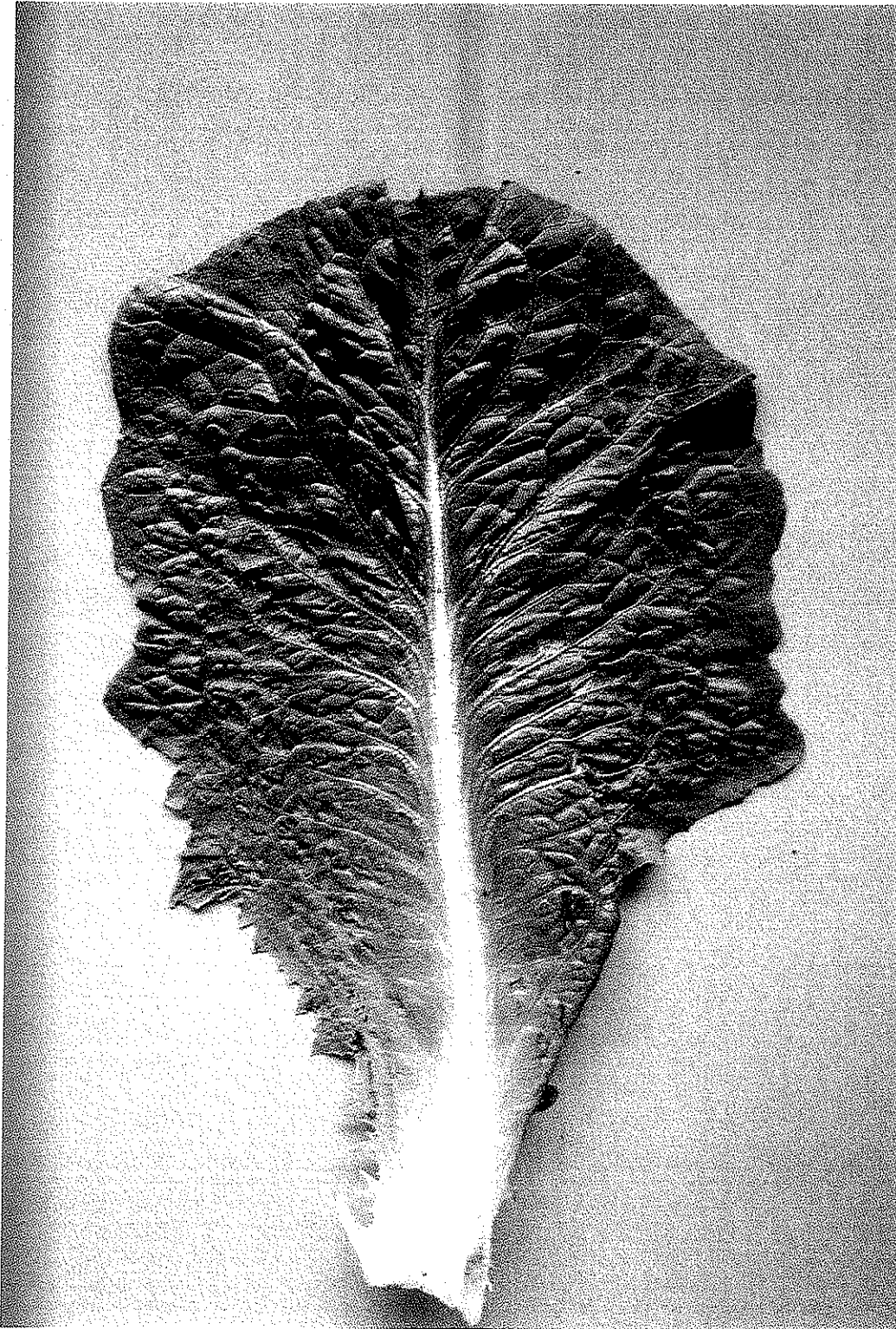
(c2.)

☐**16. BIOCHEMICAL OR ELECTROPHORETIC MARKERS****17. COMMENTS****Suggested Check Varieties**

	<u>TYPE</u>	<u>CHECK VARIETY</u>
1	Cutting/Leaf	Waldmann's Green
2	Butterhead	Dark Green Boston
3	Bibb	Bibb
4	Cos or Romaine	Parris Island
5	Great Lakes Group	Great Lakes 659-700
6	Vanguard Group	Vanguard
7	Salinas Group	Salinas
8	Eastern Group	Ithaca
9	Stem	Celtuce
10	Latin	Little Gem

REFERENCES

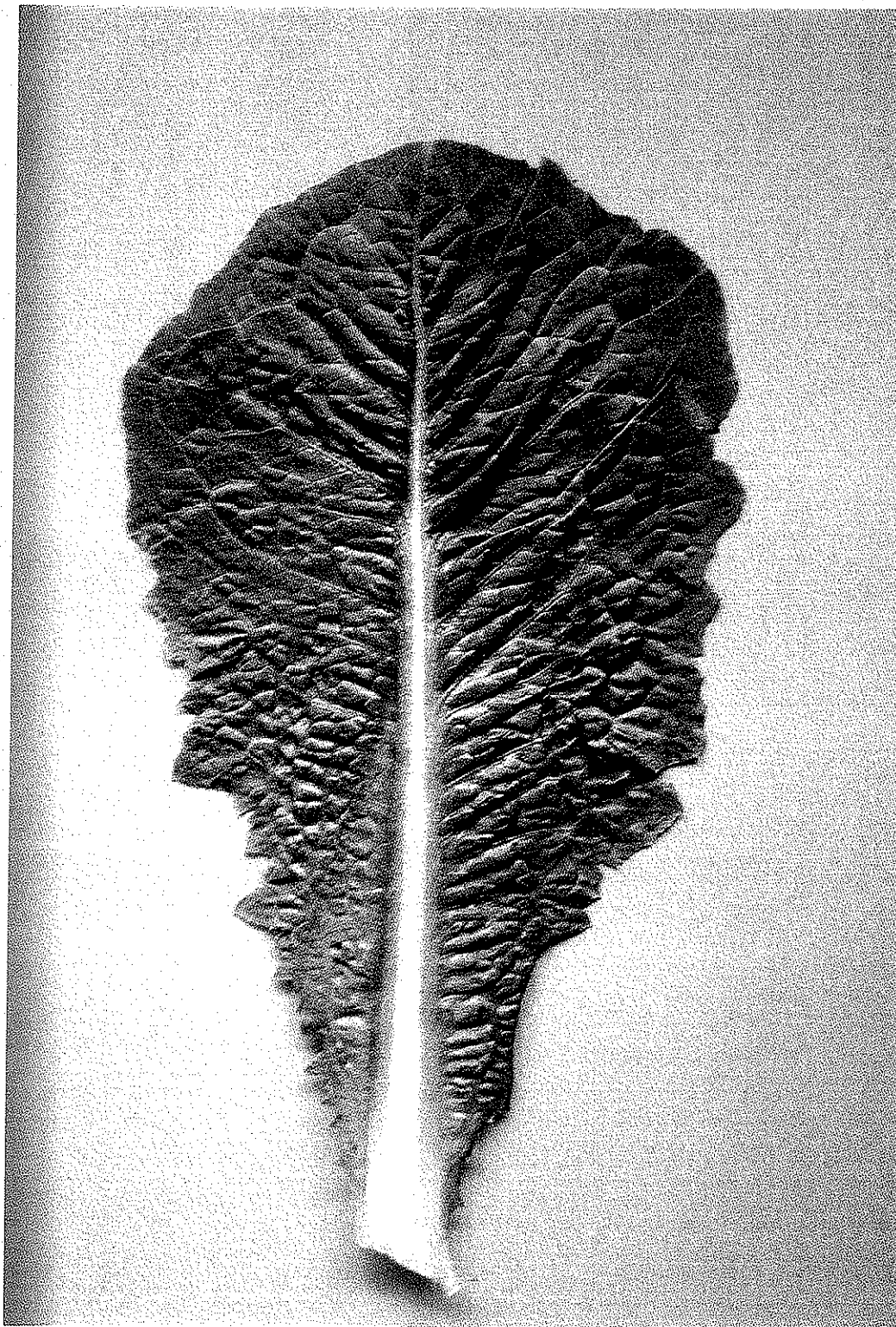
- Bowring, J.D.C., 1969. "The Identification of Varieties of Lettuce (*Lactuca sativa* L.)". Journal of the National Institute of Agricultural Botany 11:499-520. National Institute of Agricultural Botany, Cambridge, UK
- Davis, R.M., K.V. Subbarao, R.N. Raid, and E.A. Kurtz., 1997. "Compendium of Lettuce Diseases". APS Press, St. Paul, MN
- Michelmores, R. W., J. M. Norwood, D. S. Ingram, I. R. Crute and P. Nicholson. 1984. The inheritance of virulence in *Bremia lactucae* to match resistance factors 3, 4, 5, 6, 8, 9, 10 and 11 in lettuce (*Lactuca sativa*). Plant Pathology 32:176-177.
- Norwood, J. M., R. W. Michelmores, I. R. Crute and D. S. Ingram. 1983. "The inheritance of specific virulence of *Bremia lactucae* (Downy mildew) to match R-factors 1, 2, 4, 6 and 11 in lettuce (*Lactuca sativa*)". Plant Pathology 32:176-177.
- Rodenburg, C.M., et al., 1960. "Varieties of Lettuce. An International Monograph," Instituut voor de Verdeling van Tuinbouwgewassen (IVT), Wageningen, NL
- Ryder, E.J., 1999. "Lettuce, Endive and Chicory". CABI Publications, Wallingford, UK



Picture 1: Mature leaf of application variety Passport (a1).



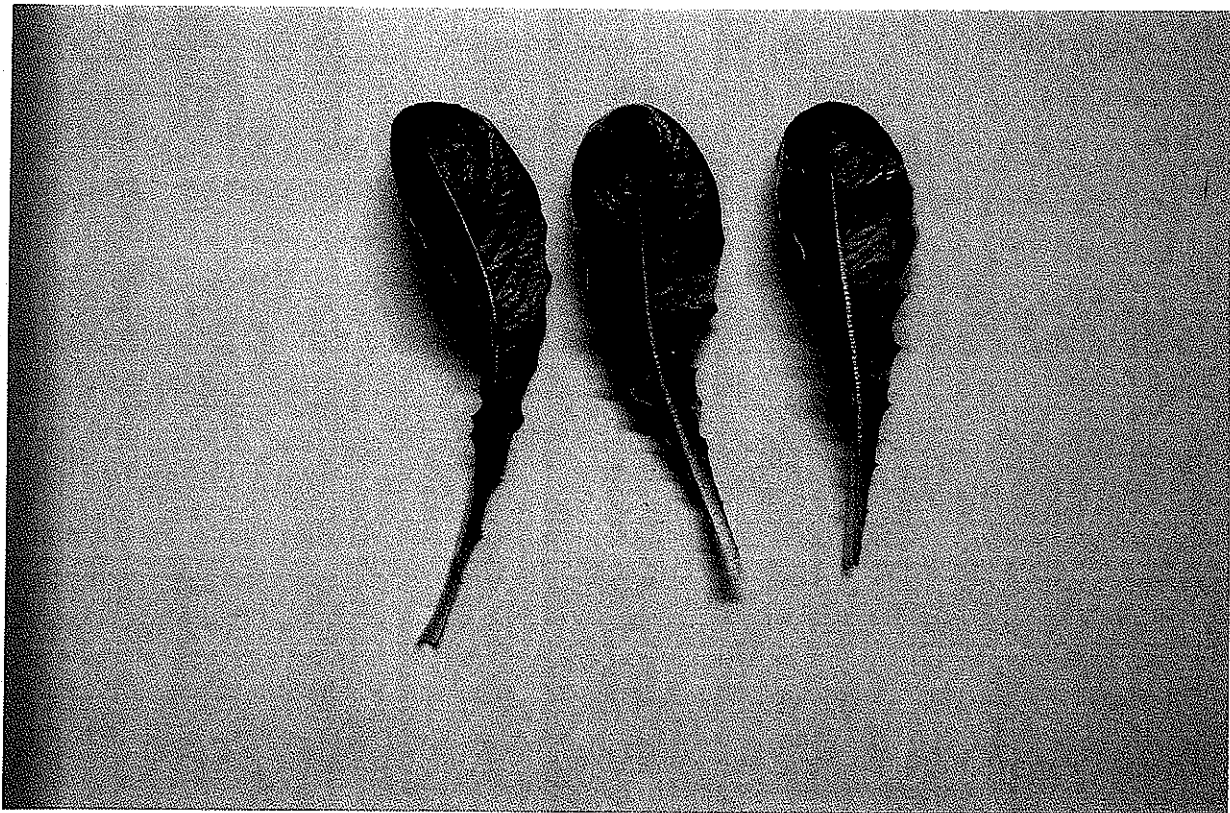
Picture 2: Mature leaf of most similar variety Paris Island Cos (c1).



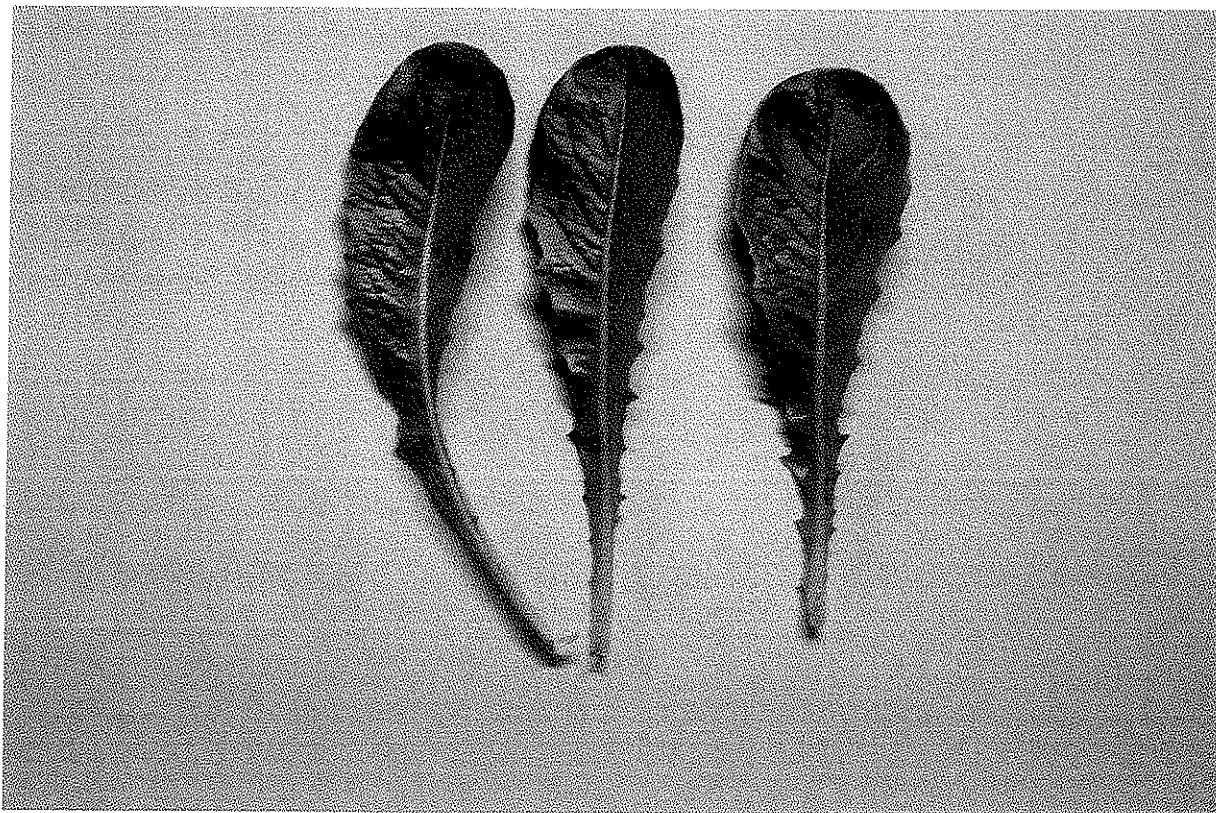
Picture 3: Mature leaf of regional check variety Clemente (c2).



Picture 4: 4th leaves of application variety Passport (a1).



Picture 5: 4th leaves of most similar variety Paris Island Cos (c1).



Picture 6: 4th leaves of regional check variety Clemente (c2).

Table 2

Results of laboratory tests for resistance to downy mildew (CA pathotype VI) comparing cv. Passport (RS06485552) and cvs. Big Country, Chief, Conquistador, Klamath, and Saturnas.

Cultivar	Downy Mildew Resistance^a
cv. Passport	resistant to CA pathotype VI
cv. Big Country	susceptible to CA pathotype VI
cv. Chief	susceptible to CA pathotype VI
cv. Conquistador	susceptible to CA pathotype VI
cv. Klamath	susceptible to CA pathotype VI
cv. Saturnas	susceptible to CA pathotype VI

^aDowny mildew survey reported as resistance to California Pathotype VI, using 15 seedlings grown in a laboratory screen.

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). The information is held confidential until the certificate is issued (7 U.S.C. 2426).

EXHIBIT E

STATEMENT OF THE BASIS OF OWNERSHIP

1. NAME OF APPLICANT(S) Seminis Vegetable Seeds, Inc.	2. TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER	3. VARIETY NAME Passport
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP, and Country) 2700 Camino del Sol Oxnard, CA 93030-7967	5. TELEPHONE (Include area code) (805) 647-1572	6. FAX (Include area code) (805) 918-2545
7. PVPO NUMBER 200500143		

8. Does the applicant own all rights to the variety? Mark an "X" in the appropriate block. If no, please explain. ☒ YES ☐ NO

9. Is the applicant (individual or company) a U.S. national or a U.S. based company? If no, give name of country. ☒ YES ☐ NO

10. Is the applicant the original owner? ☒ YES ☐ NO If no, please answer one of the following:

a. If the original rights to variety were owned by individual(s), is (are) the original owner(s) a U.S. National(s)?

☐ YES ☐ NO If no, give name of country

b. If the original rights to variety were owned by a company(ies), is (are) the original owner(s) a U.S. based company?

☐ YES ☐ NO If no, give name of country

11. Additional explanation on ownership (Trace ownership from original breeder to current owner. Use the reverse for extra space if needed):

The variety named in this application was developed by the Seminis Vegetable Seeds, Inc., employee (breeder) named below. Unless otherwise stated, all rights to the varieties developed by Seminis Vegetable Seeds, Inc. are assigned to the Company by agreement or by operation of law. No rights to such invention, discovery or development are retained by the employee(s).

Employee (Breeder): Ron van der Laan

Site Location: Nimes, France

PLEASE NOTE:

Plant variety protection can only be afforded to the owners (not licensees) who meet the following criteria:

1. If the rights to the variety are owned by the original breeder, that person must be a U.S. national, national of a UPOV member country, or national of a country which affords similar protection to nationals of the U.S. for the same genus and species.
2. If the rights to the variety are owned by the company which employed the original breeder(s), the company must be U.S. based, owned by nationals of a UPOV member country, or owned by nationals of a country which affords similar protection to nationals of the U.S. for the same genus and species.
3. If the applicant is an owner who is not the original owner, both the original owner and the applicant must meet one of the above criteria.

The original breeder/owner may be the individual or company who directed the final breeding. See Section 41(a)(2) of the Plant Variety Protection Act for definitions.

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0055. The time required to complete this information collection is estimated to average 0.1 hour per response, including the time for reviewing the instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, sexual orientation, marital or family status, political beliefs, parental status, or protected genetic information. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 14th and Independence Avenue, SW, Washington, D.C. 20250-9410 or call (202) 720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.